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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,507	02/22/2002	Mansukhbhai Ambabhai Jagani	SRS-001 (8773/1)	9969
21323	7590	03/08/2004	EXAMINER	
TESTA, HURWITZ & THIBEAULT, LLP HIGH STREET TOWER 125 HIGH STREET BOSTON, MA 02110			NOVOSAD, CHRISTOPHER J	
			ART UNIT	PAPER NUMBER
			3671	

DATE MAILED: 03/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/081,507	<b>Applicant(s)</b> JAGANI, MANSUKHBHAI AMBABHAI	
	<b>Examiner</b> Christopher J. Novosad	<b>Art Unit</b> 3671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 January 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 and 7-21 is/are pending in the application.
- 4a) Of the above claim(s) 9-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 8 and 21 is/are rejected.
- 7) ☒ Claim(s) 18-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### DETAILED ACTION

Claim 6 has been canceled.

#### *Claim Rejections - 35 USC § 103*

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyakoshi in view of Leone, Sr.

With respect to claim 1, Miyakoshi shows an agricultural system (col. 9, lines 46-49) comprising:

a motorcycle drive unit 10 (Fig. 2) and a tool assembly 460 (Figs. 13 and 14); a rear wheel 2. The recitations “for attachment of said tool assembly to said motorcycle drive unit” and “wherein said agricultural system is capable of use in farming” are functional and have not been given weight.

With respect to claim 2, Miyakoshi shows a structural chassis 1 suitable for attachment to a farm implement (460 or note col. 9, lines 46-49).

As to claim 3, Miyakoshi shows a first wheel (unnumbered; Fig. 10) and a second wheel (unnumbered; Fig. 10).

Regarding claim 4, Miyakoshi shows a transmission unit 12 (Fig. 3) comprising a differential gear box 16 (Fig. 3) disposed between the first and second wheels and adapted to be connected to the motorcycle drive unit 10.

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As to claim 5, the tool assembly 460 (Figs. 13 and 14) further comprises a multi-purpose tool bar 1e,1f,1g for attaching at least one of a cultivator, a seed drill, and a sprayer kit (note col. 9, lines 46-48).

With respect to claim 7, the tool assembly 460 (Figs. 13 and 14) further comprises a lifting mechanism 473,473a (Fig. 13; note col. 10, line 43 regarding “lift arms 473”).

Regarding claim 1, while Miyakoshi shows a rear wheel 2, Miyakoshi fails to **explicitly** show a rear wheel that is **removable** from the drive unit.

Leone, Sr. disclose that the “rear wheel of the motorcycle is removed” in col. 3, line 24.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have made the rear wheel 2 removable from the motorcycle drive unit 10 (Fig. 2) to allow for repairs or to allow for connection of the drive unit 10 to a dynamometer.

In any event, the removal of a rear wheel from a motor vehicle is **notoriously** old in the art for the reason noted.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyakoshi in view of Leone, Sr. as applied to claims 1-5 and 7 above, and further in view of Bobard.

Miyakoshi shows the system as noted.

Regarding claim 21, while Miyakoshi shows the tool assembly 460 (Figs. 13 and 14) that appears to comprise a braking system (unnumbered; lever adjacent 22 in Fig. 1), Miyakoshi fails to **explicitly** show a braking system.

Bobard shows a motorcycle (Figs. 1 and 2) and discloses a “brake disc 25” in col. 3, line 27.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized a braking system as disclosed in Bobard in the vehicle of Miyakoshi

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(which fails to **explicitly** disclose a braking system but appears to show a braking system as noted) to allow an operator to stop the vehicle. In any event, the use of a braking system on a motor vehicle is **notoriously** old in the art for the reason noted.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyakoshi in view of Leone, Sr., Bobard and Hebert.

With respect to claim 8, Miyakoshi shows an agricultural system (col. 9, lines 46-49) for use in farming comprising:

- a motorcycle drive unit 10 (Fig. 2); a rear wheel 2.

- a tool assembly 460 (Figs. 13 and 14) comprising a structural chassis 1;

- a first wheel (unnumbered; Fig. 10);

- a second wheel (unnumbered; Fig. 10);

- a transmission unit 12 (Fig. 3) comprising a differential gear box 16 (Fig. 3) disposed between said first and second wheels;

- a multi-purpose tool bar 1e, 1f, 1g for at least one of a cultivator, a seed drill, and a sprayer kit (col. 9, lines 46-49) mounted on the structural chassis 1.

Miyakoshi appears to show a braking system (unnumbered; levers adjacent 22 in Fig. 1) indirectly connected to at least one of the first or second wheels.

Miyakoshi also shows a lifting mechanism 473, 473a (Fig. 13); note col. 10, line 43 regarding "lift arms 473".

The recitation "for attachment of a tool assembly to said motorcycle drive unit" in line 3 is functional and has not been given weight.

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Regarding claim 8, while Miyakoshi shows a rear wheel 2, Miyakoshi fails to **explicitly** show a rear wheel that is **removable** from the drive unit.

Leone, Sr. disclose that the “rear wheel of the motorcycle is removed” in col. 3, line 24.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have made the rear wheel 2 removable from the motorcycle drive unit 10 (Fig. 2) to allow for repairs or to allow for connection of the drive unit 10 to a dynamometer.

In any event, the removal of a rear wheel from a motor vehicle is **notoriously** old in the art for the reason noted.

Regarding claim 8, while Miyakoshi shows the tool assembly 460 (Figs. 13 and 14) that appears to comprise a braking system (unnumbered; lever adjacent 22 in Fig. 1), Miyakoshi fails to **explicitly** show a braking system.

Bobard shows a motorcycle (Figs. 1 and 2) and discloses a “brake disc 25” in col. 3, line 27.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have utilized a braking system as disclosed in Bobard in the vehicle of Miyakoshi (which fails to **explicitly** disclose a braking system but appears to show a braking system as noted) to allow an operator to stop the vehicle. In any event, the use of a braking system on a motor vehicle is **notoriously** old in the art for the reason noted.

While Miyakoshi implies that an axle is present for first and second wheels (unnumbered in Fig. 10), Miyakoshi fails to **explicitly** show an axle. Therefore, the

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claims distinguish over Miyakoshi in requiring the first and second wheels to be disposed at first and second ends, respectively of an axle.

Hebert shows first and second wheels  $B^I$ , unnumbered (Fig. 2) and  $B^3, B^I$  (Fig. 5) at ends of an axle 12 (Fig. 2) or 23 (Fig. 5), respectively.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have disposed the wheels (unnumbered) in Fig. 10 of Miyakoshi at opposite ends of an axle as shown in Hebert for operational simplicity and greater structural integrity and greater stability than would be present if the wheel were to be mounted directly to the chassis 1.

#### *Allowable Subject Matter*

Claims 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### *Response to Arguments*

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

#### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

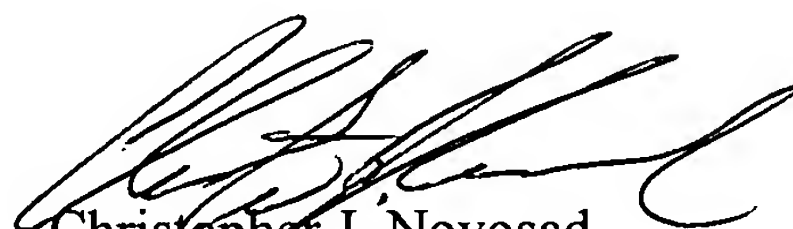
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Novosad whose telephone number is 703-308-2246. The examiner can normally be reached on Monday-Thursday 5:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached at 703-308-3870. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Christopher J. Novosad  
Primary Examiner  
Art Unit 3671

March 4, 2004